



Appl. No. 11/478,749
Response Dated January 14, 2008
Reply to Office Action of December 12, 2007

1523721

PATENT
Attorney Docket: 2884 (203-3592PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Bruce Jankowski EXAMINER: Gloria R. Weeks
SERIAL NO.: 10/540,197 GROUP: Art Unit 3721
FILED: June 20, 2005 DATED: January 14, 2008
FOR: **VACUUM ASSISTED SURGICAL STAPLER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Amendment

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed December 12, 2007, wherein the Examiner required restriction between Group 1, Claims 1-5, drawn to a surgical stapling apparatus and resilient band vacuum system, Group II, Claims 6-12, drawn to a surgical stapling apparatus and vacuum chamber system, and Group III, Claims 13-18, drawn to a surgical stapling apparatus and vacuum anvil, Applicants hereby elect, without traverse, Group II, Claims 6-12.

Early and favorable consideration of the claims of the application are respectfully requested. Should the Examiner feel that a telephone or personal interview may facilitate

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 14, 2008.

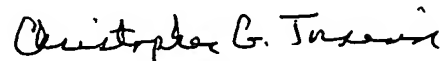
Dated: January 14, 2008

Christopher G. Trainor
Christopher G. Trainor

Appl. No. 11/478,749
Response Dated January 14, 2008
Reply to Office Action of December 12, 2007

resolution of any remaining matters, he is respectfully requested to contact Applicant's attorney
at the number indicated below.

Respectfully submitted,



Christopher G. Trainor
Reg. No. 39,517
Attorney for Applicant(s)

CARTER, DELUCA, FARRELL
& SCHMIDT, LLP
445 Broad Hollow Road – suite 225
Melville, New York 11747
(631) 501-5700

CGT:sf